§ 156-99. Application of funds; holder’s remedy.

The commissioners of the district may sell the bonds or notes of the district for not less than
par and devote the proceeds to the payment of the work as it progresses and to the payment of
the other expenses of the district provided for in this Subchapter. The proceeds from the sale of
the said bonds or notes shall be for the exclusive use of the levee or drainage district specified
therein. A copy of said bonds or notes shall be recorded in the drainage record. If serial bonds
or notes are issued it shall only be necessary to record the first numbered bond or note, with a
statement showing the serial numbers, the amount and the due dates of principal and interest.

There shall be set out specifically in the drainage record of said proceeding, a description
of the lands embraced in the district for which the tax or assessment has not been paid in full,
and which is subject to the lien of the said obligations. A reference to the tract number on the
map of the district as recorded in the drainage proceedings or in the office of the register of
deeds is sufficient description.

If any installment of principal or interest represented by the bonds and notes shall not be
paid at the time and in the manner when the same shall become due and payable, and such
default shall continue for a period of six months, the holders of such bonds or notes upon which
default has been made may have a right of action against the drainage district or the board of
drainage commissioners of the district, its officers, including the tax collector and treasurer,
directing the levying of a tax or special assessment as herein provided, and the collection of
same, in such sum as may be necessary to meet any unpaid installments of principal and
interest and costs of action; and such other remedies are hereby vested in the holders of such
bonds or notes in default, as may be authorized by law and the right of action is hereby vested
in the holders of such bonds or notes upon which default has been made, authorizing them to
institute suit against any officer on his official bond for failure to perform any duty imposed by
the provisions of this Subchapter.

The official bond for the tax collector and treasurer shall be liable for the faithful
performance of the duties herein assigned them. Such bond may be increased by the board of
county commissioners. (1909, c. 442, s. 34; 1911, c. 67, s. 11; c. 205; C.S., s. 5356; 1923, c.
217, s. 7; 1963, c. 767, s. 8.)